

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b> Frank Tuccio	)	I hereby certify that this paper is being
<b>Serial No.:</b> 10/659,514	)	electronically deposited with the United States
<b>Title:</b> "Remote Sensing System"	)	Patent and Trademark Office on this date:
<b>Filed:</b> September 10, 2003	)	<b>April 23, 2008</b>
<b>Group Art Unit:</b> 2617	)	<u>/Peter J. Cesarz/</u>
<b>Examiner:</b> MEHRPOUR,	)	Peter J. Cesarz
Naghmeh	)	Registration No.: 61,190
<b>Petitions Attorney:</b> KNIGHT,	)	Agent for Applicant
Anthony	)	

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RENEWED PETITION TO ACCEPT FILING OF AN APPLICATION  
WHERE THE INVENTOR REFUSES TO SIGN UNDER 37 CFR §1.47(b)**

Sir:

The applicant encloses herewith a Renewed Petition to Accept Filing of an Application Where the Inventor Refuses to Sign Under 37 CFR §1.47(b) (the "Renewed Petition"). A Decision Refusing Status Under 37 CFR §1.47(b) (the "Decision," a copy of which is enclosed as Exhibit A), mailed by the Office of Petitions on April 9, 2008, states that the original petition filed by the applicant on March 19, 2004 was denied because the citizenship of the non-signing inventor was not identified on the declaration.

Subsequent to the undersigned's conversation with Mr. Anthony Knight on April 16, 2008, the undersigned applied additional research efforts to contact the inventor, Frank Tuccio. On April 22, 2008, the undersigned located a telephone number for the inventor and called to confirm the citizenship status at the time of filing. The inventor, Frank Tuccio, informed the undersigned that, when the above-identified application was filed, Frank Tuccio was a U.S. Citizen.

Additionally, the inventor executed, on April 22, 2008, a Declaration in view of a copy of the above-identified application as originally filed, and a copy of the claims as allowed. A courtesy copy of the executed Declaration is enclosed herewith in Exhibit B,

which illustrates that the inventor, Frank Tuccio, is a U.S. Citizen. The Declaration is also being simultaneously filed with the United States Patent and Trademark Office.

As also discussed with Mr. Anthony Knight on April 16, 2008, the applicant files the present Renewed Petition on the same day as payment of the Issue Fee. In the event that Mr. Anthony Knight, or any other Petitions Attorney, has further questions related to this matter, such persons are encouraged to contact the undersigned agent at the number provided below.

Respectfully submitted,  
HANLEY, FLIGHT & ZIMMERMAN, LLC  
150 S. Wacker Dr., Suite 2100  
Chicago, IL 60606  
Phone: (312) 580-1020

/Peter J. Cesarz/  
Peter J. Cesarz  
Registration No. 61,190  
Agent for Applicant

April 23, 2008

# EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

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SUITE 2100  
CHICAGO IL 60606

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OFFICE OF PETITIONS

In re Application of :  
Frank Tuccio :  
Application No. 10/659,514 :  
Filed: September 10, 2003 :  
Attorney Docket No. 1016-013P/JAB :

DECISION REFUSING STATUS  
UNDER 37 CFR 1.47(b)

2004/319

This is in response to the petition under 37 C.F.R. § 1.47(b), filed March 22, 2004. The petition was recently forwarded to the Office of Petitions for consideration.

The petition under 37 C.F.R. § 1.47(b) is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 C.F.R. § 1.47(b)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **Failure to respond will result in abandonment of the application.** Any extensions of time will be governed by 37 C.F.R. § 1.136(a).

A grantable petition under 37 C.F.R. § 1.47(b) requires: (1) proof that the non-signing inventor or legal representative cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 37 C.F.R. § 1.63; (3) the petition fee; (4) a statement of the last known address of the non-signing inventor or legal representative; (5) proof that the Rule 47(b) applicant has sufficient proprietary interest in the subject matter to justify the filing of the application; and (6) proof of irreparable damage. The instant petition does not satisfy requirement (2).

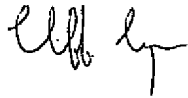
As to requirement (2), the oath or declaration must list the citizenship of the non-signing inventor. The citizenship information for Tuccio is absent from the declaration.

Further correspondence with respect to this matter should be addressed as follows:

By mail:           Mail Stop Petitions  
                  Commissioner for Patents  
                  P.O. Box 1450  
                  Alexandria VA 22313-1450

By FAX:           (571)273-8300  
                  Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo  
Petitions Attorney  
Office of Petitions

# EXHIBIT B

**DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "REMOTE SENSING SYSTEM," the specification of which was filed on September 10, 2003 and was assigned serial number 10/659,514. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Priority Claimed

_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Priority Claimed

_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application

_____	_____	_____
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

_____	_____	_____
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** I hereby appoint the Practitioners at Customer Number 34431 as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence and direct telephone calls to:

Hanley, Flight & Zimmerman, LLC, at customer number 34431  
Phone (312) 580-1020  
Fax (312) 580-9696

Full Name of First Inventor Frank Tuccio	Citizenship US
Residence Address - Street 1809 Park Place	Residence Address - Street 1809 Park Place
City (Zip) Springfield (07081)	City (Zip) Springfield (07081)
State or Country NJ	State or Country NJ
Date April 22, 2008	Signature 